

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

ALFONZO B. SALLEY,

Plaintiff

v.

JOHN E. WETZEL, *et al.*,

Defendants

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CIVIL ACTION NO. 3:12-1515

(MANNION, D.J.)  
(BLEWITT, M.J.)

**ORDER**

Presently before the court is the report and recommendation of Magistrate Judge Thomas M. Blewitt, (Doc. No. [17](#)). For the reasons set forth in the Memorandum of this date the report and recommendation will be **ADOPTED** as follows:

- (1) The plaintiff's motion to proceed *in forma pauperis*, (Doc. No. [2](#)), is **GRANTED**;
- (2) All claims for damages in the plaintiff's amended complaint, (Doc. No. [15](#)), against Judge Sylvia Rambo and former Judge J. Andrew Smyser are **DISMISSED WITH PREJUDICE**;
- (3) All alleged constitutional claims in the plaintiff's amended complaint, (Doc. No. [15](#)), which occurred before July 25, 2010 are **DISMISSED WITH PREJUDICE**;

- (4) To the extent the plaintiff's amended complaint, (Doc. No. [15](#)), requests a transfer to another correctional facility, such requests are **DISMISSED WITH PREJUDICE**;
- (5) The remainder of the plaintiff's amended complaint, (Doc. No. [15](#)), is **DISMISSED WITHOUT PREJUDICE**;
- (6) The plaintiff's motion for a restraining order, (Doc. No. [16](#)), is **DENIED**; and,
- (7) The Clerk of the Court is directed to **CLOSE** this case.

s/ *Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Dated: June 20, 2013**

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